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INTERIM MANAGEMENT POLICY AND GUIDELINES FOR WILDERNESS STUDY AREAS

DRAFT

U.S. Department of the Interior
Bureau of Land Management

January 12, 1979

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CHAPTER I. OVERVIEW

This document describes policies and guidelines for managing the use of lands and islands administered by the Bureau of Land Management which have been identified as wilderness study areas (WSA's). These WSA's are areas that have wilderness characteristics and are being reviewed by the BLM to determine whether they are suitable or unsuitable for designation as wilderness. The BLM's recommendations will be submitted through the Secretary of the Interior to the President, and the President will send his recommendations to Congress.

The policies and guidelines in this document also apply to BLM-administered lands and islands that are subject to the wilderness review but have not yet been dropped from the inventory or been identified as wilderness study areas. Such lands must be considered potential WSA's, and will be managed under the Interim Management Policy until BLM has resolved their status.

The BLM wilderness review program stems from section 603 of the Federal Land Policy and Management Act of 1976 (FLPMA). In FLPMA, Congress gave BLM its first clear-cut, comprehensive mandate on how the public lands should be managed. The law establishes a policy of keeping the public lands in Federal ownership, and it directs BLM to manage them under principles of multiple use and sustained yield. Management decisions are to be made through a land-use planning process that considers all potential uses of each land area. Under FLPMA, wilderness preservation is part of BLM's multiple-use mandate. The specific responsibility for the wilderness review program appears in section 603. (The complete text of section 603 is shown in Appendix E of this document.)

Section 603(c) tells BLM how to manage the lands that are being reviewed, in these words:

During the period of review of such areas and until Congress has determined otherwise, the Secretary shall continue to manage such lands according to his authority under this Act and other applicable law in a manner *so as not to impair the suitability of such areas for preservation as wilderness ...* (emphasis added).

A grandfather clause in section 603(c) lays out more specific instructions for existing mining, grazing, and mineral leasing—what will be called “grandfathered” uses—in these words:

... subject, however, to the continuation of existing mining and grazing uses and mineral leasing in the manner and degree in which the same was being conducted on the date of approval of this Act

However, these uses are not completely unrestricted. The Secretary is also directed by section 603(c) to “take any action required to prevent unnecessary or undue degradation of the lands and their resources or to afford environmental protection.” This applies not only to these grandfathered uses, but to all activities.

These mandates establish as a matter of policy that, while some development activities may continue or be permitted in a WSA, they must be carefully regulated. All activities except the grandfathered uses must be regulated to prevent impairment of wilderness suitability, and in some circumstances development may be prohibited where impairment cannot be prevented or where the impacts will not be rehabilitated. To the extent that activities and their imprint on wilderness are temporary and can be carried on in a manner that minimizes interference with wilderness potential, these activities pose less of a threat to an area's suitability for wilderness designation than do activities with long-term impact and low rehabilitation potential.

There are two different practical effects of these “interim management” mandates in FLPMA. First, those grazing, mining, and mineral leasing uses which existed on October 21, 1976 (the date FLPMA was enacted), may continue in the same manner and degree as on that date, even if they do impair wilderness suitability, so long as they do not cause unnecessary or undue degradation of the lands and their resources.

Second, uses and activities other than the grandfathered uses may be permitted in WSA's so long as they can take place without impairing the suitability of the area for preservation as wilderness. Obviously, the question of what causes “impairment” is the key to determining what can take place in a WSA.

A yardstick for answering this question is the definition of wilderness in section 2(c) of the Wilderness Act of 1964:

A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

This definition is based on the physical and esthetic character of the land, not on how the land is being used.

Another criterion for “impairment,” applicable to new mineral activities (including oil and gas), stems from the management provisions in section 4(d) of the Wilderness Act. These provisions allow carefully controlled mining and mineral leasing in designated wilderness areas of the national forests. Almost by

definition these activities could adversely affect wilderness character to some degree, yet by enacting these provisions Congress decided that mining and mineral leasing may be compatible with an area's suitability for preservation as wilderness. Therefore, oil and gas and mining activities whose impacts are only temporary are considered not to impair wilderness suitability.

The goal of interim management is to ensure that any area that now satisfies the wilderness definition in section 2(c) of the Wilderness Act will still satisfy this definition when Congress acts on the President's recommendations as to whether that area should be designated permanently as wilderness. Anything that would cause the land not to meet this definition would constitute impairment of its suitability for designation as wilderness. The final decision belongs to Congress. The Interim Management Policy protects Congress's right to make that decision by preventing actions that would preempt that decision.

However, there are two exceptions. First, the congressional decision might be preempted by impairment resulting from the grandfathered mining, mineral leasing, and grazing uses. That is a risk Congress chose to take when it approved FLPMA.

Second, new mining and mineral leasing activities might cause temporary impacts that would be rehabilitated within 5 years after Congress designates the area as wilderness.

The question will arise, why does the BLM allow activities in WSA's that are prohibited in designated wilderness areas? (An example is operation of motor vehicles.) The answer is that section 603(c) of FLPMA gave BLM no authority to impose such prohibitions; some activities that are prohibited in wilderness areas do not inherently impair a WSA's wilderness potential. The BLM's mandate is to protect the physical and esthetic features that make an area suitable for designation as wilderness so that Congress can make the decision on whether or not to designate it as wilderness. The mandate is *not* to prohibit any and all activity in the area.

Most activities will fall in one of the following categories:

1. There are some activities that may occur in WSA's that are also allowed in designated wilderness areas. (For example: hunting.)
2. There are some acts that may occur in WSA's even though they are not allowed in designated wilderness areas, because these activities do not cause physical changes that would impair the area's wilderness suitability. (For example: driving motor vehicles on existing ways and trails.)
3. There are other activities that may occur in WSA's, even though they cause temporary impact on wilderness suitability, because the impact can and will be rehabilitated within a reasonable time. (For example: building a temporary road to install a water source for cattle.)
4. The most difficult questions arise with activities

that have lasting impacts, so that the area will not be suitable for wilderness designation for many years. Such activities will not be allowed, unless they are necessary to conduct grandfathered mineral or grazing uses.

The purpose of the policies and guidelines in this document is to guide BLM staff in the specific decisions that arise every day in the management of land uses in WSA's.

A. Objectives. The objectives of interim management are:

1. To manage "so as not to impair the suitability . . . for preservation as wilderness" of those areas and islands that meet the criteria of section 2(c) of the Wilderness Act of 1964.

2. To manage existing mineral and grazing uses continuing in the manner and degree in which the same were being conducted on October 21, 1976, so as to prevent undue or unnecessary degradation of the lands and their resources and to afford environmental protection.

3. To manage so that, to the extent possible, resource uses may continue with minimum interruption while a wilderness review program is being conducted.

B. Authority.

1. The WSA interim management policy is based on the following authorities:

- a. The Federal Land Policy and Management Act of 1976, Public Law 94-579, section 603, hereafter referred to as "FLPMA." (See Appendix D for the text of section 603.)

- b. The Wilderness Act of September 3, 1964, Public Law 88-577. (See Appendix E for the text of section 2(c).)

C. The Wilderness Program. To carry out the mandate of FLPMA, the Bureau has developed a wilderness program with these four elements:

1. **Wilderness Review.** The wilderness review process has three phases: inventory, study, and submission of a report to Congress. Public involvement is provided for all phases of the process, with opportunity for comment, participation, and review. The review applies to most public lands administered by BLM, except those Oregon and California Grant (O&C) lands which are managed for commercial timber production.

- a. **Inventory.** First, BLM does an inventory of the public lands to identify areas that meet the definition of wilderness established by Congress. Such areas are identified as wilderness study areas (WSA's).

- b. **Study.** Next, BLM studies each WSA, using the BLM land-use planning system to analyze all values, resources, and uses within the WSA. The findings of the study determine whether the area will be recommended as suitable or unsuitable for designation as wilderness.

- c. **Reporting.** When the study has been completed, a recommendation as to whether the WSA is suitable or unsuitable for designation as wilderness is submitted through the Secretary of the Interior and the President to Congress. Reports on all WSA's must reach the President by October 21, 1991, and reach Congress by October 21, 1993.

2. Instant Study Areas. FLPMA also requires wilderness recommendations to be reported to the President by July 1, 1980, on 55 public land areas which were formally designated as "natural" or "primitive" areas prior to November 1, 1975. These are known as the "instant study areas" because they are already identified, and need not go through the inventory process.

3. Management of WSA's. In a WSA, the BLM must not permit actions which would impair the area's suitability for preservation as wilderness. Existing mining, mineral leasing, and grazing uses may continue in the same manner and degree as they were being done when FLPMA was enacted on October 21, 1976, but will be regulated to afford environmental protection and prevent undue and unnecessary degradation of the land and resources.

4. Management During Wilderness Inventory. The wilderness inventory work began in 1978 and will be completed by September 30, 1980. While the inventory is in progress, the Bureau has an obligation to protect the wilderness suitability of any lands that may be identified as WSA's by the final inventory decisions. This does not mean that all public lands will be covered by the interim management policy. It does mean that during the inventory period, BLM-administered lands that have not yet been dropped from the inventory will be regarded as potential WSA's, and will be governed by the Interim Management Policy. Before WSA's have been identified, the Bureau will approve activities on BLM-administered land under any of these four conditions:

a. If a "special project inventory" or the initial inventory, supported by public comments, shows that the land clearly and obviously does not meet the wilderness definition, and therefore will not be identified as a WSA, the activity may be approved by normal BLM procedures.

b. If a special project inventory or the initial inventory, supported by public comments, shows that the land appears to meet the wilderness definition, and therefore is likely to be identified as a WSA, then the question must be addressed in the EAR/ES process: Will the activity impair the area's wilderness suitability? If the answer is "no," the activity may be approved.

c. If the activity is necessary to an existing grazing, mining, or mineral-leasing use being conducted in the same manner and degree as on October 21, 1976, it may be approved without any inventory.

d. If the activity is something that the BLM has determined, as a rule, does not impair wilderness suitability (such as reforestation, or camping), it may be approved without any inventory. (See Appendix A for examples.)

D. Definitions.

Some of the terms used in this document have particular and specific meanings and are defined as follows:

Cumulative Impact: The total impact caused by a proposed activity combined with the impacts of existing substantially unnoticeable intrusions in an area or island that were not previously sufficient to preclude the land from WSA designation.

Impair: To diminish in value, excellence, etc. (Distinguished from impacts; see "temporary impacts.")

Instant Study Area: One of the 55 primitive and natural areas formally identified through a final action published in the *Federal Register* prior to November 1, 1975. FLPMA requires a wilderness review of these areas.

Multiple Use: "... the management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all of the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output." (From section 103, FLPMA.)

Outstanding: 1. Standing out among others of its kind; conspicuous; prominent. 2. Superior to others of its kind; distinguished; excellent.

Permanent Roads, Structures, or Facilities: Those which cause impacts that cannot be practically and economically rehabilitated in a reasonable period of time.

Potential Wilderness Study Area: Any area of the public lands that is subject to the wilderness inventory, but has not yet been dropped from the inventory or been identified as a wilderness study area.

Primitive and Unconfined Recreation: Recreational activities that do not use motorized equipment and do not require manmade structures.

Public Lands: For the purpose of the wilderness review program, any lands and interest in lands owned by the United States within the several States and administered by the Secretary of the Interior through the Bureau of Land Management, without regard to how the United States acquired ownership, except:

1. Land located on the Outer Continental Shelf; and

2. Lands held for the benefit of Indians, Aleuts, and Eskimos; and

3. Lands where the United States retains the minerals, but the surface is in other ownership.

Roadless: Refers to the absence of roads which have been improved and maintained by mechanical means to insure relatively regular and continuous use. A way maintained solely by the passage of vehicles does not constitute a road.

Words and phrases used in the above definition of "roadless" are defined as follows:

1. Improved and maintained: Actions taken physically by man to keep the road open to vehicular traffic. "Improved" does not necessarily mean formal construction. "Maintained" does not necessarily mean annual maintenance.

2. Mechanical means: Use of hand or power machinery or tools.

3. Relatively regular and continuous use: Vehicular use which has occurred and will continue to occur on a relatively regular basis. Examples are: Access roads for equipment to maintain a stock water tank or other established water sources; access roads to maintained recreation sites or facilities; or access roads to mining claims.

Roadless Area or Roadless Island: An area or island bounded by non-Bureau administered land, water, or a road, using the edge of the physical change that created the road or the adjacent edge of the right-of-way as the boundary. Applies only to areas identified and indexed as such through the roadless area inventory of the wilderness inventory process.

Solitude: 1. The state of being alone or remote from habitations; isolation. 2. A lonely, unfrequented, or secluded place.

Substantially Unnoticeable: Refers to something that is not immediately recognizable as manmade or man-caused because of age, weathering, or biological change, or because the thing is so insignificant as to be only a very minor feature of the overall area. An example of the first would be an old juniper control project that has grown up to a natural appearance, the old fallen trees largely decomposed. An example of the latter would be one or a few minor dams or abandoned mine buildings that are widely scattered over a large area, so that they are an inconspicuous part of the scene. Serious intrusions of this kind, or many of them, may preclude inclusion of the land in a wilderness study area.

Temporary Impacts: Impacts which the BLM has determined to be temporary on grounds that rehabilitation will be practically and economically accomplished by the time of congressional designation of the area as wilderness or, in the case of new mineral activities, no later than 5 years after congressional designation. The BLM will determine in advance the plan and schedule for rehabilitation measures. The effects of the activity must be rehabilitated to the point of being substantially unnoticeable, and the damaged environmental systems must be capable of being rehabilitated to essentially the condition which existed on the date the activity was approved by BLM.

Undue Degradation: Detrimental impacts from a proposed or ongoing action resulting in unnecessary damage to lands or their resources. These usually occur when an operator is not using or does not propose to use the best available management or operating practices which are technically, economically, and legally feasible.

Wilderness: The definition contained in section 2(c) of the Wilderness Act of 1964 (78 Stat. 891). (See Appendix E for its full text.)

Wilderness Area: An area formally designated by Congress as a part of the National Wilderness Preservation System.

Wilderness Characteristics: The definition contained in section 2(c) of the Wilderness Act of 1964 (78 Stat. 891).

Wilderness Inventory: An evaluation of the public lands in the form of a written description and map showing those lands that meet the wilderness criteria as established under section 603(a) of the FLPMA and section 2(c) of the Wilderness Act, which will be referred to as wilderness study areas (WSA's). (See Wilderness Inventory Handbook, dated September 27, 1978.)

Wilderness Review Program: The process covering the entire wilderness inventory, study, and reporting for the wilderness resource and culminating in recommendations to the Secretary, the President, and Congress as to the suitability or nonsuitability of WSA's for inclusion in the National Wilderness Preservation System.

Wilderness Study Area: A roadless area or island which has been inventoried and found to have wilderness characteristics as described in section 603 of the FLPMA and section 2(c) of the Wilderness Act of 1964 (78 Stat. 891).

E. Implementing Regulations. Some of the policies in this document will be implemented through regulations. These particular policies will be reflected in proposed regulations that are now in preparation. One rulemaking concerns mining activities in WSA's and potential WSA's:

- Exploration and Mining—Wilderness Review Program (43 CFR 3802). These regulations will be effective upon final rulemaking until the Surface Management (43 CFR 3809) regulations are promulgated. They will then be incorporated into the 3809 regulations.

Two other rulemakings concern mineral leasing and mining activities on all BLM-administered lands:

- Geophysical Exploration—Oil and Gas (43 CFR 3045).
- Surface Management (43 CFR 3809).

A rulemaking is also in preparation concerning use of off-road vehicles on all BLM-administered lands:

- Off-Road Vehicles (43 CFR 6290). Upon publication of final rulemaking in the *Federal Register*, the number will be changed to 43 CFR 8340.

Changes in existing regulations will also be proposed wherever this is found necessary to implement the Interim Management Policy.

Chapter II. Management Policy for Wilderness Study Areas

A. General Policy. The Department of the Interior's management policy is to continue resource uses in wilderness study areas in a manner that preserves the areas' suitability for designation as wilderness until one of the following occurs:

1. If a BLM wilderness inventory determines that an

area does not meet the Wilderness Act's definition of wilderness, the interim management policies will no longer apply.

2. If Congress designates the area as wilderness, the BLM will manage the area for preservation of its wilderness character. FLPMA requires that designated wilderness areas be managed under provisions of the Wilderness Act which apply to national forest wilderness. BLM is preparing a management policy to implement this mandate.

3. If Congress declares the area nonsuitable for designation as wilderness, the interim management policies will no longer apply.

The Department's policy is also to continue grazing, mining, and mineral leasing activities in wilderness study areas in the manner and degree in which these activities were being done on October 21, 1976, so long as they do not cause unnecessary or undue degradation of the lands and their resources and so long as environmental protection is afforded.

The Department's policy is also to allow new mineral activities in wilderness study areas, so long as they cause only temporary impacts that will be rehabilitated within 5 years after Congress designates the area as wilderness.

B. Specific Policy Guidance.

1. Wilderness Inventory. The Bureau of Land Management is doing the wilderness inventory under procedures described in the *Wilderness Inventory Handbook*, approved on September 27, 1978. The inventory will sort lands into two categories: (a) Wilderness study areas, to which these interim management policies will apply, and (b) lands that are not wilderness study areas and will not be affected by the interim management policies.

2. Special Project Inventory. The BLM Washington Office has directed special project inventories to be done in connection with certain proposed projects. (These are listed in Appendix C.) Other special project inventories may be initiated by BLM State Directors, following procedures in the *Wilderness Inventory Handbook*. A special project inventory sorts lands into these two categories:

a. Lands that clearly and obviously do not satisfy the definition of wilderness and therefore are not affected by the interim management policies.

b. Land that *appear* to satisfy the definition of wilderness. These areas must be given an intensive inventory to determine whether they do indeed satisfy the definition and therefore will be identified as wilderness study areas. The interim management policies will apply to these lands.

3. Non-Impairing Activities. Any activity that BLM has determined does not impair the land's suitability for designation as wilderness may be done in a wilderness study area. (Later in this document, the "Guidelines for Managing Specific Uses" and Appendix A identify some of these activities.)

4. Supporting Activities. However, some nonimpairing activities require supporting facilities or activities that could impair wilderness suitability. (For example: A ski lift, a boat launching ramp and associated parking area, the use of vehicles off trails to retrieve sailplanes or hang gliders.) When this is the

case, the supporting activity will be limited to prevent impairment. (For example: A rope tow may be used instead of a permanent ski lift.) If the supporting activity cannot be done in a nonimpairing manner, then the proposed activity will not be approved.

5. Variable Activities. There are some activities that in certain cases would impair wilderness suitability, but in other cases would not do so, because of differences in size or degree. (For instance, small stock ponds generally are acceptable, but large ones could impair wilderness suitability.) When one of these activities is proposed in a WSA, the BLM will consider the impairment question in the environmental assessment record (EAR) or environmental statement (ES). If the EAR or ES finds that the activity in this case will not impair wilderness suitability, then the activity may be approved.

In some cases, an activity may be modified to preserve wilderness suitability. Sometimes a special design can make something acceptable. Sometimes a different location within the WSA will make an activity more acceptable; some lands are more fragile than others. Sometimes an activity can be limited to a particular season when it will have little impact, or limited to a short period of time.

6. Temporary Activities. Some activities would impair wilderness suitability if they were permanent, but will not do so if their impact is only temporary. Temporary impacts are defined as impacts which the BLM has determined to be temporary on grounds that rehabilitation will be practically and economically accomplished by the time of congressional designation of the area as wilderness or, in the case of new mineral activities, no later than 5 years after congressional designation. The BLM will determine in advance the plan and schedule for rehabilitation measures. The effects of the activity must be rehabilitated to the point of being substantially unnoticeable, and the damaged environmental systems must be capable of being rehabilitated to essentially the condition which existed on the date the activity was approved by BLM.

For instance, a permanent road would make an area nonsuitable for wilderness designation, but a temporary access route that is built for a specific purpose and whose impact will be rehabilitated by regrading and reseeding may be allowed.

The Bureau's contrast rating process (BLM Manual Section 8431, and Form 8400-4) may be used to help determine whether the results of a rehabilitation project will be substantially unnoticeable. A rating of no more than 10 points for any one individual feature (i.e., land/water surface, vegetation, structure) may indicate a satisfactory condition. The definition of "substantially unnoticeable" appears in Chapter I.D of this document.

7. Prohibited Activities. No permanent roads, permanent structures, or permanent installations will be built in WSA's. No public land disposals will be approved in WSA's; however, the question of state selections is unresolved as a result of the *Utah v. Kleppe* litigation.

8. Grazing and Mineral Activities. Grazing, mining, and mineral leasing uses that existed on the date of enactment of FLPMA (October 21, 1978) may continue in WSA's in the same manner and degree as

on that date, even if this impairs wilderness suitability. These activities will be regulated to ensure that they do not cause unnecessary or undue degradation of the lands and their resources.

Grazing, mining, and mineral leasing uses that are new, or that are different in manner and degree from those existing on October 21, 1976, must meet the test of not impairing wilderness suitability, because these are not covered by the grandfather clause in FLPMA section 603. In the case of new mineral uses, temporary impacts are permissible within 5 years after Congress designates the area as wilderness.

9. Maintenance. Existing structures and installations may be maintained to keep them in an effective, usable condition. Except as provided below for grandfathered activities, maintenance will not be allowed to improve a structure or installation to a condition that would impair the area's suitability for wilderness designation. Measures required to do maintenance activities, such as building temporary access routes, will be allowed only if these measures do not in themselves impair wilderness suitability.

Maintenance in connection with grazing, mining, and mineral leasing activities conducted in the same manner and degree as on October 21, 1976, will be subject to regulations described in subsection 8, above.

10. Emergencies. In emergencies, such as drought, fire, or flood, any action necessary to prevent loss of life or property may be taken, even if the action will impair wilderness suitability. Within 2 days of the action, circumstances and action will be documented and filed in the BLM District Office.

11. Oil and Gas Leases. BLM will advise oil and gas lessees to file Applications for Permit to Drill no later than 120 days before expiration of the lease, to allow time for the U.S. Geological Survey and the BLM to consider the APD in light of these interim management policies and to work with the applicant to seek solutions where conflicts appear. Exploration and development activities may be allowed if these activities (including access routes) cause only temporary impacts that will be rehabilitated within 5 years after Congress designates the area as wilderness.

12. Air Quality. Under the Clean Air Act Amendments of 1977, all BLM-administered lands were designated as Class II, under that law's provision concerning prevention of significant degradation. The BLM will continue to manage wilderness study areas as Class II, unless Congress or a state redesignates them as Class I.

Chapter III. How to Evaluate Proposed Activities

There are two different procedures for evaluating proposed activities under the interim management policies. One will be used on lands for which no wilderness inventory has yet been completed. Another will be used for lands identified by an inventory as wilderness study areas.

A. Lands Not Yet Inventoried.

1. When the proposed activity involves lands for which no wilderness inventory has been completed,

start by asking these three questions:

a. Is the proposed activity located in an area that an initial inventory (Step 2 in the *Wilderness Inventory Handbook*) has found clearly and obviously not to meet the criteria for identification as a wilderness study area?

b. Is the proposed activity something that BLM has determined, as a rule, does not impair wilderness suitability (such as the activities listed in Appendix A as "Class A"), and is there no evidence that the activity is an exception to the general rule?

c. Is the activity necessary to an existing grazing, mining, or mineral leasing use being conducted in the same manner and degree as on October 21, 1976, and does it afford environmental protection and cause no unnecessary or undue degradation of the lands and their resources?

If the answer to any one of these questions is "yes," then the proposal will be considered acceptable under the interim management policy, and it may be analyzed under normal BLM procedures.

2. If the answer to all three questions is "no," BLM will consider the proposal in either of two ways:

a. Conduct a "special project inventory" using the procedures of the intensive inventory (Step 4 in the *Wilderness Inventory Handbook*), and simultaneously prepare the EAR/ES. This inventory will sort the lands into two categories: (1) those identified as WSA's, and (2) those that do not qualify as WSA's and therefore are no longer subject to the interim management policy. If the proposal involves lands identified by this inventory as a WSA, the EAR/ES must analyze the individual and cumulative impacts of the proposed action on the area's wilderness suitability. If the EAR/ES analysis shows that the activity will not impair wilderness suitability, then the proposal may be approved through normal BLM procedures.

b. If the decision has to be made before a special project inventory can be completed, then the affected lands must be considered a potential WSA and the proposed action must be evaluated as though the land were in a WSA.

B. Lands in Wilderness Study Areas.

1. When the proposed activity involves lands identified as a wilderness study area, start by preparing an EAR/ES that analyzes the impacts of the activity on the wilderness suitability of the WSA.

If the activity is necessary to existing grazing, mining, or mineral leasing uses conducted in the same manner and degree as on October 21, 1976, the EAR/ES will determine whether it will cause unnecessary and undue degradation of the lands and their resources.

2. In the EAR/ES analysis, it is the physical, ecological, and esthetic impact of a proposed activity that determines whether that activity will impair an area's wilderness suitability. Cumulative impacts must also be taken into account, since a gradual accumulation of minor impacts may add up to an impairment of wilderness suitability.

3. If the analysis shows that the activity will not impair the area's wilderness suitability, it may be approved through normal BLM procedures.

In the case of grazing, mining, and mineral leasing covered by the grandfather clause, if the activity will

not cause unnecessary and undue degradation of the lands and their resources, it may be approved through normal BLM procedures.

C. Monitoring. In WSA's and in areas not yet inventoried:

1. The construction of any temporary access route, including routes to mining claims or mineral leases, must be recorded in a District Transportation Plan.

2. Each BLM District Office will keep a log of all proposed and authorized actions (including the construction of temporary access routes) and actions believed to be in violation of FLPMA, section 603. This log will consist of the following information.

- a. A description of the proposed or ongoing action.

- b. The WSA identification number or location description.

- c. A cross-reference to the pertinent case files or decision documentation, and the name of the staff member handling the case.

- d. Action taken on proposed and authorized activities (approved/disapproved/pending) and on violations of the Act that are under investigation.

- e. Comments on problems encountered or on the current status of the proposal or investigation.

Chapter IV. Guidelines for Specific Activities

A. Recreation. Generally, most recreation activities (including hunting and fishing) are permitted within WSA's, in some cases with restrictions. However, in all cases the magnitude of use must be analyzed to ensure that recreation use will not cause impacts that impair the wilderness suitability of the WSA.

1. In recreation, as with all activities under the Interim Management Policy, no new permanent structures, roads, or facilities will be allowed in a WSA. Temporary installations having minimal visual and environmental impacts may be permitted if the State Director determines that they are necessary to protect the natural environment or to provide acceptable levels of visitor health and safety.

2. Hobby collecting of mineral and vegetative specimens may be allowed unless it is determined to impair the suitability for wilderness designation.

3. ORV use may continue in WSA's on existing ways and trails. Vehicles designed to travel across snow or sand dunes may be allowed in areas designated for these uses, so long as they do not cause physical or esthetic impacts that would impair the suitability of the area for designation as wilderness. For ORV competitive events, assembly areas and start and finish lines shall not be allowed in WSA's. No lands will be classified as "closed" solely because they are in a WSA.

4. Environmental education programs may be continued and teaching stations may be established in a manner that will not impair wilderness suitability.

5. River running may be allowed in a manner that will not impair wilderness suitability.

6. Other recreational use designations may be established so long as they will not cause impacts that would impair a WSA's wilderness suitability.

B. Cultural and Paleontological. Cultural and paleontological resource inventories, studies, and research involving only surface examination or limited subsurface sampling are permitted. Generally, no cultural resource restoration or reconstruction work may be conducted in a WSA. Cultural or paleontological work involving extensive surface collection, excavation, or stabilization may be allowed so long as such work does not impair wilderness suitability. Such work must be monitored, and must include appropriate rehabilitation measures. Physical protection (such as fences) will be limited to those measures needed to reduce impacts and to protect high value resources.

C. Lands Actions. If a proposed land action is determined through the EAR/ES process to be compatible with wilderness preservation, or will result only in a temporary impact on the suitability of the lands for wilderness designation, the action may be permitted.

Appendix A includes a list of the major land actions which will be affected by the Interim Management Policy, and describes some of the restrictions that apply to these actions. It is not intended to be a complete listing, as variations will occur which will have to be considered on a case-by-case basis. However, land transfers cannot be approved within a WSA.

D. Forestry. Except for those Oregon and California (O&C) Grant lands which are managed for commercial timber production, timber management activities on all other forest lands within WSA's are subject to the provisions of the Act. They are guided by the following procedures and by the guidance in Appendix A.

Timber management operations (e.g. road construction, clearcutting, partial cutting, site preparation, and other harvesting activities) authorized prior to October 21, 1976, by timber sale contracts, permits, leases, or licenses must be reevaluated to determine whether the operations within a WSA do or do not impair the area's suitability for wilderness preservation. If the operation is determined to be impairing, BLM will determine whether the contract, permit, lease, or license should be amended, if its terms permit, to prevent impairment of the WSA's suitability for preservation as wilderness.

Timber management activities, as with all activities, will be managed on the basis of the intensity of their impacts, not on the basis of the activity itself.

Activities that cause *major* impacts (such as timber sale, road construction, clearcut, shelterwood cut, partial cut, commercial thinning, and stand conversion) would not be permitted in WSA's.

Generally, activities such as precommercial thinning, site preparation, reforestation, insect and disease control, domestic firewood gathering, and small salvage logging operations, cause only *moderate* impacts or can be rehabilitated so that wilderness suitability will not be impaired. Motorized wheeled or tracked logging equipment will be permitted in the area of operation on existing ways and on new temporary access routes or ways, but impacts caused

by vehicles must be rehabilitated to a substantially unnoticeable condition.

Activities such as pruning, tree improvement (genetic selection and pollination), and seed collection (climbing and squirrel cache) cause only minor impacts. Activities of this kind may proceed, observing the constraints stated in the "Comments" column of Appendix A.

E. Wildlife. Habitat management projects are allowed so long as they do not impair the area's wilderness potential. Projects that alter natural vegetation in a major way may be approved if BLM determines that they will not impair wilderness potential. Projects which seed or plant exotics are not permitted. Most other wildlife-related activities are permitted if they are conducted so as not to impair wilderness suitability.

The BLM will continue to cooperate with State wildlife agencies in the management of resident wildlife species in accordance with established policies and procedures.

Stocking of wildlife species not indigenous to North America is not permitted in WSA's. Introduction of threatened, endangered, and sensitive species which were native to an area is allowed if there is a reasonable chance for the animals or birds to become established. Temporary enclosures and related facilities may be built, and any means of transportation which does not impair wilderness potential may be used to transplant or reintroduce such species. When endangered, threatened, or sensitive species do not respond to the management measures mentioned above, exceptions for more intensive management may be granted on a case-by-case basis.

F. Fire Management. BLM will continue all presuppression, suppression, and post-suppression fire activities under current methods of operation, using caution to avoid unnecessary impairment of an area's suitability for preservation as wilderness, until new fire management plans for each WSA are developed. These fire management plans, including prescribed burning and controlled wild fire, will be developed promptly. Management objectives for the area must take into account the existing wilderness characteristics of the WSA, the need to prevent actions that would impair the suitability of the area for designation as wilderness, historic fire occurrence, natural role of fire, proposed degree of suppression, expected fire behavior, acceptable suppression techniques, adequate buffer zones, smoke management, effect on private or other agency inholdings and on adjacent landowners, the limits of acceptable fire weather, fire behavior, and fire effects, and the access requirements of other agencies. Emergency fire rehabilitation measures will continue to be carried out under guidelines in Manual Section 7441 and Departmental Manual Part 910.

To hold fire damage to the minimum, fire management plans will rely on (1) the most effective methods of suppression that are least damaging to resources and the environment and that involve the

least expenditure of public funds to rehabilitate the area; (2) an aggressive fire prevention program; and (3) an integrated cooperative suppression program by agencies of the Department among themselves or with other qualified suppression organizations.

G. Watershed. Land treatments (e.g., trenching, ripping, pitting, terracing, plowing) and vegetative manipulation by biological, mechanical, or chemical means are permitted in WSA's if a given project is determined not to impair the area's wilderness suitability. Temporary structural measures may also be permitted. Permanent structures will not be built. However, gauges for air and water monitoring will be considered to be nonimpairing and may be established if these are the minimum necessary for determination of real and potential threats to human health and property or if no other areas are available to collect base line data. Activities needed to alleviate, rehabilitate, or contain damage from existing or potential natural hazards may be accomplished within limits established by a case-by-case review. Hazards caused by fire, storms, biological phenomena, landslides, and fumes may need emergency project work; this emergency work will be conducted in a manner that does not impair the area's wilderness suitability. More intensive measures may be authorized after careful analysis by the State Director. Fire damage will be rehabilitated under the same policy with emphasis on the seeding of species native to the area and on management practices. Permanent structural or similar rehabilitation measures which are not in accord with wilderness preservation should be deemphasized.

Rehabilitation projects will be documented according to standard BLM procedures.

Threatened, endangered, and sensitive plant species as well as paleontological resources (see IV.B—Cultural) may also require emergency protection measures to prevent degradation.

H. Range Management.

1. Grazing. The Act provides for the continuation of existing grazing uses in the same manner and degree in which they were conducted on October 21, 1976, but these must cause no unnecessary or undue degradation of the lands and their resources, and they must afford environmental protection. It is clear that the "manner and degree" in which an "existing" grazing use was being conducted on that date established as a benchmark the physical and esthetic impact that activity was having on the area in question.

Therefore, if an existing grazing use can be expanded without increasing the physical impact on wilderness suitability, it may be allowed. (This might occur, for example, if the range condition has improved, or if ephemeral forage is available.)

New grazing uses, and grazing uses different in manner and degree from those existing on October 21, 1976, may be allowed so long as the activity is regulated to prevent impairment of the area's suitability for designation as wilderness. Expansion or curtailment of grazing use and changes in numbers, seasons of use, and class of livestock may be allowed so long as wilderness suitability is not impaired. This

would include implementation of grazing systems and changes in grazing systems.

2. Range Improvements. Use and maintenance of existing range improvements is allowed so long as this does not cause undue or unnecessary degradation. In some cases, maintenance can make an installation less obtrusive and therefore more compatible with Interim Management objectives. New range improvements needed to support and facilitate grazing use and management may be installed and maintained so long as the activities and structures do not impair the area's wilderness suitability. Appropriate location and design can make some range improvements acceptable that would otherwise be considered to impair wilderness suitability.

a. BLM may permit new fences, cattleguards, corrals, and trails to be built if their impacts will not impair wilderness suitability. Motor vehicles may be used in existing ways and trails. New water developments may be built if the surface disturbance is not great and can be rehabilitated in a reasonable period of time, and if the above-ground facilities are discreetly designed to blend with the natural surroundings or are readily removable. Examples that do not require permanent surface disturbance are spring developments with a short pipe and removable trough on the surface, above-ground temporary pipelines, buried pipelines where surface features can be restored, small stock ponds, and artificial catchments requiring minimal surface disturbance.

b. Vegetation manipulation (land treatment) projects will be allowed under controls to assure that wilderness suitability is not impaired.

(1) Projects involving biological, chemical, or mechanical control of undesirable, noxious, and poisonous plants may be approved on a case-by-case basis if the actions do not impair the area's wilderness suitability and the affected acreage is small.

(2) Control by fire—either prescribed burning or controlled wild fire—will be done under conditions specified under the fire management guidelines. These practices are generally allowed, so long as each project does not involve road construction or other land disturbances that would impair wilderness suitability.

(3) Plant species that now occur in the WSA may be reseeded to restore a site to its natural conditions. Seeding should be done only by aerial application or surface broadcasting where these are practical, or by mechanical drilling where this practice is shown to be less destructive of wilderness characteristics than other methods.

3. Wild Horse and Burro Management. Activities may be allowed, and temporary facilities for holding and transporting horses and burros may be located and designed, in a manner that will not impair the suitability of the area for designation as wilderness.

I. Minerals.

1. All Mining and Leasing Activities.

a. All existing mining and mineral leasing activities may continue in the manner and degree in which they were being conducted on October 21, 1976, but these activities will be regulated to prevent unnecessary or undue degradation of the lands and their resources and to afford environmental protection.

b. In determining the manner and degree of existing operations, a rule of reason will be employed. Existing operations will be defined geographically by the area of active development and the *logical adjacent* (not necessarily contiguous) continuation of the existing activity, and not necessarily by the boundary of a particular claim or lease. It will also be recognized that operations are not always conducted at precisely the same degree at all times. For instance, operations may have been curtailed for economic reasons from one year to the next and may have been temporarily suspended on October 21, 1976. However, the significant measure for these activities is still the impact they are having on the wilderness potential of an area. It is the actual use of the area, and not the existence of an entitlement for use, which is the controlling factor. In other words, an existing activity may continue to be expanded in an area over time so long as the additional impacts caused by the expansion do not cause impairment of wilderness suitability beyond that caused by the existing activity.

c. All new mining and mineral leasing operations that began after October 21, 1976, and any change in existing operations that exceed the manner and degree occurring on that date, will not be allowed to impair the area's wilderness suitability.

3. Oil and Gas Leasing and Development.

a. **Leasing.** Leasing may continue in WSA's with the addition of the enclosed wilderness protection stipulation (see Appendix B-1) which will be attached to all oil and gas leases. During the wilderness inventory, it will also be attached to leases in potential WSA's, but it will not be attached to leases covering lands which are determined through the initial inventory (Step 2 in the Wilderness Inventory Handbook) as clearly and obviously not meeting the criteria for identification as WSA's. The stipulation becomes inoperative if the intensive inventory (Step 4 in the Wilderness Inventory Handbook) determines that the land in the lease does not meet the criteria for a WSA; it remains in effect if the area is identified as a WSA.

The protection stipulation remains in effect in WSA's unless Congress acts to declare an area unsuitable for preservation as wilderness.

b. **Notice of Intent to Conduct Oil and Gas Exploration Operations.** Most operations proposed in a notice usually cause only temporary impacts.

c. **Application for Permit to Drill.** The BLM should advise all lessees to file an APD no later than 120 days before expiration of the lease in order to allow adequate time to determine if the area is within a WSA or if the action will impair the area's suitability for wilderness. Any lease issued after October 21, 1976, is subject to conditions to protect the suitability of such lands for preservation as wilderness. Because it is possible that impacts of oil and gas *exploration operations* (including initial investigation, "wildcat" drilling, and construction of temporary access routes) may be successfully removed through rehabilitation in some areas within 5 years after Congress designates an area as wilderness, it is probable that some such operations can be approved in WSA's. Similarly, if the impacts of some oil and gas *production* activities can be successfully rehabilitated within 5 years after

designation, a recommendation of approval of such an operation by BLM to the U.S. Geological Survey may be made. In addition, some production activities (small delivery pipelines, well-control equipment, etc.) may, if put in place so that the impact is substantially unnoticeable, be allowed without being restricted by the requirement to complete rehabilitation within 5 years after designation. However, extensive production activities (major field development) will probably be substantially noticeable and not be capable of practical rehabilitation within 5 years after designation and will not, therefore, be allowed. But it is clearly contemplated that some oil and gas exploration and development activities as determined on a case-by-case basis may be permitted in WSA's.

In areas that clearly and obviously do not qualify as WSA's because they are less than 5,000 acres, roaded, or extremely impacted by existing intrusions (such as drilling rigs, wells, or pipelines), the length of the associated public comment period may be, on a case-by-case determination by the State Director, set for less than 30 days, so long as the public comment period includes adequate publicity in the local news media, and includes at least one public meeting if the State Director determines that a public meeting is appropriate.

d. Suspension of Lease Terms. If commencement of operations is going to be delayed or postponed by BLM beyond the end of the primary term of a lease either because of WSA inventory or review or until Congress decides whether the area will be designated as wilderness, BLM will recommend that the lessee file an application for suspension of operations and production. It will be recommended to the Secretary that such suspension is to begin on the date an acceptable application for suspension of operations and production is filed in the proper U.S. Geological Survey office.

4. Geothermal Resources.

a. Leasing. Prior to the identification of WSA's, leasing (both competitive and noncompetitive) may continue with the addition of the enclosed wilderness protection stipulation (see Appendix B-2) which will be attached to all geothermal leases in potential WSA's. It will not be attached to leases covering lands which clearly do not have potential for wilderness. The stipulation becomes inoperative if the BLM State Director formally determines that the land in the lease does not meet the criteria for a WSA. It remains in effect if the area is designated as a WSA. It prohibits utilization of the leased area for development or production of geothermal resources for the purposes of electrical power development or production until and unless Congress removes the management restrictions of section 603 of the Act. It does provide for use of the surface for limited exploration operations subject to regulation to prevent impairment of the suitability of the area for preservation as wilderness.

After all WSA's are identified, it will be attached to all subsequently issued geothermal leases in those areas and remain in effect until Congress removes the management restrictions of section 603 of the Act.

b. Notice of Intent to Conduct Geothermal Exploration Operations. Because most operations proposed in a notice usually cause only temporary impacts, most may be approved.

c. Action on Plans of Operation (filed under 30 CFR 270.34 or 43 CFR 3203.6). Because of the substantial impact that is caused by construction and operation of power-generating facilities and related facilities on producing geothermal leases, the stipulation that is included in all new geothermal leases prohibits such activities until the wilderness potential of the area has been determined. However, other developmental operations for nonelectrical purposes and the drilling of deep exploration wells may be permitted upon a case-by-case determination if they have only temporary impacts or the impacts are substantially unnoticeable.

d. Suspension of Lease Terms. If BLM delays or postpones approval of exploration operations that are necessary to comply with diligence requirements of the lease because of the possible effect such operations will have on the wilderness potential of an area, BLM will recommend to the U.S. Geological Survey that the terms of the lease be suspended until the wilderness potential of the area is settled. The suspension will be effective from the date of the BLM recommendation.

5. Coal.

a. Leasing.

(1) New Competitive Leases. Criteria to determine which lands are unsuitable for coal mining have been promulgated under authority of the Federal Land Policy and Management Act and the Surface Mining Control and Reclamation Act. These criteria are used to determine whether to lease coal. The criterion for WSA's is: Federal lands designated as WSA's shall be considered unsuitable for coal leasing while under review by the Administration and Congress for possible wilderness designation unless the coal will be mined by underground mining methods which produce no surface effects on the WSA. Surface effects include surface occupancy, subsidence, fire, and other environmental impacts of underground mining which are manifested on the surface.

(2) Existing Noncompetitive (Preference Right) Lease Applications. Existing rights to preference right leases will be recognized. In all cases leases shall be conditioned so that operations will not cause undue or unnecessary degradation of the lands. In addition, leases shall be conditioned to prevent impairment of the suitability of the lands for preservation as wilderness. These conditions may include terms which specify areas that cannot be mined and exceed the current technological capability of the particular lease applicant.

(3) Mining Plans. The same criterion applied to coal leasing will be applied to new permits to mine filed on existing leases. It will be recommended that permits be disapproved unless it can be demonstrated that underground mining methods which have no surface effects on the WSA will be used.

b. Exploration. Exploration for Federal coal can occur either under terms of a coal exploration license or permit issued to a private party or by the Federal Government (U.S. Geological Survey) as part of its

normal exploration program. Exploration authority, if granted, is subject to prior environmental analysis of the proposal and in accordance with stipulations determined necessary to avoid, lessen, or mitigate adverse environmental impacts. Because the effects of coal exploration are temporary in nature and can be successfully rehabilitated, they should normally be approved in WSA's.

6. Oil Shale Leasing and Development. Leasing and development of oil shale will be conducted in a manner consistent with section 603(c) of the FLPMA.

7. Other Leasable Minerals (Phosphate, Potash, Sodium, Sulphur, and Hardrock (Solid) Minerals on Acquired Lands).

a. Leases and Prospecting Permits.

(1) Prospecting Permits. Prospecting permits shall continue to be issued in WSA's or areas on which the inventory has not been completed, subject to a stipulation that no preference right leases will be issued until and unless an environmental analysis (or environmental statement) is completed and it is demonstrated (on the basis on the environmental analysis and a mining plan submitted with the application for a preference right lease) that the minerals can be removed by mining methods (including the surface impacts of such mining operations) which will not impair the suitability of the area for preservation as wilderness. The stipulation shall become inoperative under the same conditions as those for oil and gas and geothermal leases and will be included in all leases covering lands which are not clearly in areas without wilderness potential. Each permit will also condition exploration operations by a stipulation to insure that the impact caused by the activities will not impair the area's wilderness suitability.

(2) Noncompetitive Preference Right Leases. Existing rights to preference right leases will be recognized. However, conditions will be imposed in such leases to prevent impairment of the suitability of the area for preservation as wilderness. These conditions may include terms which specify areas which may not be mined and/or which exceed the current technological capability of the particular lease applicant.

(3) Competitive and "Fringe-Acreage" Leases. All other leases may be issued in WSA's only if it can be demonstrated that the mineral deposit can be removed by mining methods that will not impair the suitability of the area for wilderness preservation.

b. Exploration and Mining Plans. Exploration and mining plans may be approved in accordance with the terms included in the permit or lease to prevent impairment of the suitability of the permit or lease areas for preservation as wilderness. When the effects of exploration are temporary in nature and can be successfully rehabilitated, they may be approved in WSA's. However, the impacts of mining (especially surface mining operations or underground mining which has surface effects on the WSA) will have to be assessed on a case-by-case basis to determine if they are temporary.

8. Disposal of Mineral Materials (Salable). Salable and free use of mineral materials in WSA's will be assessed on a case-by-case basis. The impacts of small sand and gravel pits and other mineral material sites

can be temporary. Because successful reclamation can be done in some areas, it may be possible to approve mineral material sales or free use of these materials in WSA's.

9. Mining Claims Located Under the 1872 Mining Law.

a. Prospecting, Exploration, and Mining. Mining operations conducted in potential and identified WSA's will be subject to regulations to be published simultaneously with this document as proposed rulemaking (43 CFR 3802, copy enclosed). The regulations will not apply to areas that BLM has determined, through the wilderness inventory process, clearly and obviously to have no wilderness potential. These regulations will provide a procedure for notifying the BLM of activities being conducted or proposed to be conducted on mining claims and will also establish the standards for approval of the conduct of those operations, including reclamation. Certain activities will not require approval by the BLM. (See section 3802.1-1 of the enclosed regulations.)

Operations proposed in potential WSA's will be evaluated to determine whether or not they will impair the area's wilderness suitability, with the exception of existing operations which are being conducted in the same manner and degree as they were on October 21, 1976, and are not causing undue or unnecessary degradation of the area.

Operations that began after October 21, 1976, will be regulated to prevent impairment of the suitability of the area for preservation as wilderness. Those causing impairment will not be allowed to continue. However, all work which is reasonable and the minimum necessary to hold the claim under the mining law will be approved subject to conditions to prevent unnecessary or undue degradation and afford environmental protection. When the effects of exploration operations are temporary and can be rehabilitated, they may be approved in WSA's. However, the impacts of mining (especially surface mining operations or underground mining which has surface effects on the WSA) will have to be assessed on a case-by-case basis to determine if they are temporary.

b. Location, Discovery, and Assessment Work. Public land within WSA's will continue to be subject to location under the mining law. Discovery work (which is required in some states to locate a claim) and assessment work may be done in order to locate the claim and comply with state law, but these activities will be regulated to prevent impairment of the area's suitability for preservation as wilderness. Discovery and assessment work which are both necessary and reasonable to locate or to hold a claim will not be totally prohibited.

c. Patents. Patents to mining claims will continue to be processed and issued in WSA's.

Chapter V. Enforcement Procedures

Regulations now in effect will be relied upon to enforce management policies and procedures established for WSA's. Necessary trespass actions will be handled in accordance with the appropriate lands, range, or forestry regulations.

However, the following additional steps must be taken whenever a District Manager believes that an activity taking place in an identified WSA is in violation of FLPMA:

A. Enter the activity under investigation in the log described in Chapter III, section C. Update the information in parts c, d, and e when needed as the case progresses.

B. Contact the owner of the operation, informally or in writing (certified mail, return receipt requested). Explain the situation and, depending on the situation or activity, attempt to secure his or her cooperation in (1) conditioning the continued activity to eliminate impairment of the suitability for wilderness preservation or (2) restricting such activity in the case of existing grazing or mineral uses to the manner and degree established on October 21, 1976, and preventing unnecessary or undue degradation.

C. If the operator will not cooperate, decide whether immediate action is needed to prevent the impairment of the potential of the area for wilderness designation. If so, the State Director should contact the Regional Solicitor and request that he work with the U.S. Attorney's Office to seek a temporary restraining order and injunction, if appropriate, from the local U.S. District Court. Send a copy of the case file to the Director, Bureau of Land Management, for transmittal to the Office of the Solicitor, Division of Energy and Resources, for information.

D. If the operator will not cooperate and the situation is not an emergency, send the case file directly to the State Director for appropriate action. Be sure to include the name and telephone number of a BLM employee who is familiar with the matter. Also, send copies of pertinent information to the Director, Bureau of Land Management, to distribute to each division affected. At the State Director's discretion, he may contact the Regional Solicitor for his opinion on the appropriate course of action to be taken.

E. **Appeal Procedures.** Appeal procedures will be provided by the regulations governing the decision being appealed. Applicants who are adversely affected by a management decision within a WSA will be informed of appeal procedures.

APPENDIX A

SPECIFIC ACTIVITY GUIDANCE TABLES

The guidance is intended only to provide general, optional assistance to resource managers in evaluating a few of the many activities on public lands. Decisions must be made on a case-by-case basis through careful analysis and where appropriate, with the assistance of the following guidelines:

TABLE KEY

1. Class A Activities: Activities may proceed without initiating a wilderness inventory for the affected area, if they meet the qualifications in the "Comments" column. They will not impair the area's suitability for preservation as wilderness. However, supporting

activities and facilities (such as access routes, ski lifts, or the use of vehicles off existing ways and trails) will be assessed as Class B activities.

2. Class B Activities: Those that may or may not impair an area's suitability for wilderness preservation. When a project is considered, the wilderness issue must be addressed through a wilderness inventory and an evaluation of the proposed action as described in chapter III, section A.

3. The "Comments" Column: Addresses qualifications on allowable activities as well as those activities that more than likely will impair an area's suitability for preservation as wilderness. When a project is considered, the wilderness issue must be addressed through a wilderness inventory and an evaluation of the proposed action as described in chapter III, section A.

RECREATION ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Recreation Development		X	Temporary structures may be allowed, if wilderness potential is not impaired. Permanent structures are not allowed.
Concessions		X	Temporary structures and mobile facilities may be allowed, with rehabilitation stipulations, when necessary, but no permanent facilities.

The following activities are allowed in wilderness study areas. No permanent structures or facilities to support these activities may be built in the WSA's, but temporary structures and mobile facilities may be used so long as they do not impair the area's suitability for designation as wilderness.

Fishing, Hunting, Trapping, Winter Sports, Water-skiing, Float Boating, Vegetative Collecting, Rockhounding, Spelunking, Ballooning, Sailplaning, (Sandsailers), Sky Diving, Hang Gliding, Recreational Gold Dredging, Gold Panning, Camping	X		
Special Recreation	X		

RECREATION ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Power Boating	X		No permanent launching ramps or dock facilities may be built in WSA's.
Sailboating	X		No permanent launching or docking facilities may be built in WSA's.
Motor-Aircraft	X		No permanent runways or airport structures may be built in WSA's.
Trap Shooting and Skeet	X		No permanent facilities may be built, but temporary facilities are allowed, with rehabilitation stipulations, if necessary.
Interpretation	X		Facilities are limited to temporary ones.
National Recreational Trails		X	New trails for foot and horse travel may be built, but not for use by motor vehicles.
National Scenic Trails	X		
Natural History Areas Research Natural Experimental Ecological Reserves	X	X	Research activities must avoid large-scale manipulation that might impair the area's wilderness suitability.

RECREATION ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Natural History Inventory	X		
Recreation Areas			
Natural	X		
Scenic	X		
Cultural Recreation		X	
Recreation Lands		X	
ORV		X	Allowed on existing ways and trails. Snow and sand vehicles are allowed off these routes in designated areas.

CULTURAL ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Socio-Cultural Areas	X		
Research Actions within Research Cultural Areas		X	May require rehabilitation efforts.
Cultural Conservation Areas	X		
Cultural Inventories	X		

LANDS ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Public Sales		X	Sales will not be allowed in a WSA.
Exchanges		X	Lands to be disposed of cannot be within WSA.
State Selections		X	Must be suspended pending further instructions from the Director as a result of the <i>Utah v. Kleppe</i> litigation (except Alaska).
<i>R&PP</i>			
(a) Patent		X	No R&PP patents will be issued in WSA's.
(b) Lease		X	1) Only temporary improvements. 2) Short-term lease. 3) Rehabilitation stipulations. 4) No permanent road construction. 5) Revocable upon wilderness designation.
Color of Title			
(a) Class I		X	Must meet the requirement of the Act (occupation and/or cultivation); therefore, the land will not meet wilderness criteria.
(b) Class II		X	Potential land disposal action; therefore, the action must be suspended.

LANDS ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Temporary Use Permit		X	1) Must be able to restore lands to pre-authorization conditions. 2) No permanent road construction.
Withdrawals			
(a) Preservation or emergency	X		
(b) Military (renewal)		X	Evaluate for health and safety hazards and decontamination potential prior to inclusion into a WSA.
(c) Other specific uses		X	1) No permanent development. 2) No permanent road construction. 3) Rehabilitation stipulations.
Revocation & Restoration		X	Section 603 will have no effect on these actions.

LANDS ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Desert Land Entry		X	1) Potential land disposal action; therefore, this must be held up pending action by Congress on wilderness designation. 2) Patent may be issued where vested right was established prior to October 21, 1976.
Rights-of-Way (new)			
(a) Linear & ancillary facilities		X	1) No permanent road construction. 2) Only temporary facilities permitted. 3) Rehabilitation stipulations.
(b) Communication sites			4) Early review with applicants to alert them of wilderness considerations. 5) Short-term authorizations.
Rights-of-Way			
(a) Renewal & authorizations for existing use		X	Will be evaluated during renewal.
(b) Joint use of existing facility	X		

The wilderness provisions of the FLPMA are not intended to stop land uses; however, until Congress has indicated which lands will become a part of the Wilderness System, we must carefully consider the degree of permanency and the extent of development requested in all land-use applications.

FORESTRY ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
O&C Lands, Western Oregon	X		O&C lands designated through BPS as <i>being available and used for continuous timber production</i> are exempt from section 603 of FLPMA. All other western Oregon lands are subject to the wilderness provisions.
Permits, leases, licenses, and Contracts Authorized Prior to October 21, 1976		X	The documents must be reevaluated to determine if they impair wilderness suitability. If so, consider amending the document, if the terms permit and the contractor is willing.
Actions after October 21, 1976			In general, no timber harvest is allowed in WSA's, and no permanent road construction for timber harvest. These activities will be deferred while an area is in WSA status: Clearcut Shelterwood Cut Seedtree Cut Partial Cut (Includes Commercial Thinning) Stand Conversion
a) Precommercial Thinning		X	Power saws; axes; and chemical means may be used. No wheeled or track logging equipment. Access by helicopter, existing roads, or ways, and-or foot travel.

FORESTRY ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
b) Pruning	X		
c) Seed Collection			Trees must be well scattered (300 feet or more apart).
Felling Trees	X		
Climbing	X		
Squirrel Cache	X		
d) Tree Improvement	X		Genetic selection; pollination.
e) Site Preparation			
Scarification	X		Hand methods. No motorized wheeled or track logging equipment. Access by helicopter, existing road or way, and/or foot travel.
Brush Control	X		Axes, chemicals, hand tools in general. No motorized wheeled or track logging equipment. Access by helicopter, existing road or way, and/or foot travel.
Burning	X		Only after evaluation to insure that adequate fire protection measures can be implemented. No motorized wheeled or track logging equipment.
f) Reforestation	X		Hand planting or seeding, or aerial seeding. Access by helicopter, existing road or way, and/or foot travel. Use native species.
g) Insect/Disease Control			
Major		X	Corrective measures must be approved by State Director.
Minor	X		Felling or chemical treatment of small patches or individual trees. Access by helicopter, existing road or way, and/or foot travel.
h) Salvage Log			
Major		X	Corrective measures must be approved by S.D.
Minor	X		Activities must be assessed on a case-by-case basis.
1) Firewood; Christmas trees, pine nuts, etc.	X		These are noncommercial citizen uses, and they will be confined to small areas. Access by existing road or way and/or foot travel.

WILDLIFE ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Vegetation Manipulations			
(a) Mechanical		X	Major projects with long-term detrimental visual impact will not be allowed. Use only plant species found within the WSA.
(b) Nonmechanical Plantings and Seedings	X		Hand plantings and seedings may continue if they do not impair wilderness suitability and if they use native plant species.
Prescribed fire		X	May be allowed, so long as no major surface disturbance is necessary in building fire lines.
Land-Water Treatment	X		In the case of disease outbreaks, water land sources may have to be treated; no permanent impacts allowed.
Water Facilities	X		Stream and sediment control should use natural materials; springs, wells, and artificial structures can be developed with minimum disturbance and visual intrusions.
Fences	X		Materials used and location will result in a visual impact which is substantially unnoticeable.

WILDLIFE ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Introductions and Transplants			
(a) Exotic Animals			No exotics may be introduced.
(b) Native Animals	X		Species native to North America may be reintroduced or transplanted, using temporary enclosures and facilities if necessary.
(c) Threatened and Endangered (T/E) Animals	X		T/E transplants are allowed if the species is or has been native to the region in which they are proposed to be introduced or reintroduced.

FIRE MANAGEMENT ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Presuppression	X		All fire activities will continue as usual until new fire management plans are developed for each WSA.
Suppression	X		
Post-suppression	X		

WATERSHED ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Fire Rehabilitation	X		Fire rehabilitation seeding is allowable under current method of operation, using native species.
Water Facilities	X		Only temporary structures.
Fences	X		To protect critical soil and vegetation. Natural material preferred. No fenceline blading. Location and materials cause minimum visual impact.
Monitoring			
(a) Water	X		New structures must be minimum necessary to determine threats to human health and property. Monitors for upstream tributary pollution affecting aquatic habitat and aesthetics will be allowed.
(b) Air	X		
Soil Survey	X		Rehabilitation of soil pits will be required.
Emergency Project Work	X		Will be documented under standard BLM procedures.
Land Treatment		X	Major projects with long term detrimental visual impact will not be allowed. Only treatment for the purpose of preservation of soil productivity will be allowed.
Trenching, Ripping, Pitting, Terracing, Plowing			

WATERSHED ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Vegetation Manipulation			
(a) Biological		X	New projects must be the minimum necessary to protect soil productivity or downstream private property. Long term detrimental visual impact will not be allowed.
(b) Mechanical, chemical		X	
Brush Conversions		X	Only allowed if it provides protection of human health or property or to restore site to original condition.
Structural Measures		X	New structures, other than those required under emergency conditions, will not be allowed unless they are within critical community watersheds. Structures allowed must relate to water supplies needed to protect human health and property.
Detention, Retention Dams			

RANGE MANAGEMENT ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Range Management			
1. Livestock Grazing			
a. Change in Numbers	X		These changes generally may be allowed so long as grazing is still in the manner and degree it was being conducted on October 21, 1976.
b. Change in Season of Use	X		
c. Change in Class of Livestock	X		
d. Grazing Systems	X		
e. Supplemental Feeding		X	Existing practice may be continued. New supplemental feeding may be initiated if it will not cause impairment of wilderness potential.
f. Salting Grounds	X		Existing practice may be continued. New salting station may be initiated to improve distribution of grazing use.

RANGE MANAGEMENT ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
2. Range Improvements			
a. Facilitating Livestock Grazing and Management			
1) Fencing	X		Prevent surface disturbance. Use materials with minimum visual impacts.
2) Cattleguards	X		Temporary installation.
3) New Water Developments			
a) Wells and Springs	X		Prevent undue damage to vegetation and soil. Above surface facilities must be unobtrusive or removable. No constructed access for motorized equipment, but temporary roads may be built.
b) Artificial Catchments	X		Temporary above ground facilities. Little surface disturbance.

RANGE MANAGEMENT ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
c) Supplemental Water Facilities	X		Temporary surface pipelines allowed. Buried pipelines allowed if installed without undue surface disturbance and rehabilitation to natural condition within 1 or 2 years. Watering troughs of material blending with natural surroundings and/or removable.
d) Earthen Reservoirs		X	Small stock ponds may be approved, but larger reservoirs and associated construction activities could permanently impair wilderness potential.
4) Livestock Handling Facilities			
a) New Corrals	X		Temporary structure of materials which blend with natural surroundings.
b) New Trails	X		Locate and design so as not to impair wilderness potential.

RANGE MANAGEMENT ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
c) New Camps	X		Temporary camps, such as sheep camps, may be allowed.
d) New Roads	X		Temporary roads may be allowed, with rehabilitation stipulations.
b. Maintenance of Existing Improvements	X		Limited to that necessary to return facility to original constructed condition without causing impairment of wilderness characteristics. Cross country access by motorized equipment may be allowed.
c. Vegetation Manipulation (Site Conversion)			
(1) Control of Undesirable, Noxious and Poisonous Plants			
(a) Chemical		X	Major projects with long-term detrimental visual impact will not be allowed. Exceptions for small areas or individual plants subject to environmental assessment and approval by the State Director.
(b) Mechanical		X	
(c) Burning		X	May be done through carefully designed prescribed burning or controlled natural fire with same restrictions as in the WSA fire management plan, so long as no major disturbance is necessary in building fire lines.
<hr/>			
(2) Reseeding	X		Allowed only to restore site to its natural condition. Use of species native to the site.
(3) Livestock grazing management systems.	X		May be implemented to maintain or improve ecologic conditions. Subject to restrictions on construction of supporting facilities.
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Wild Horse and Burro Management			
1. Gathering	X		As conducted under current guidelines and policies.
2. Handling Facilities			
a. Corrals and holdings pens	X		Temporary structure.
b. Transportation (roads or trails)	X		Cross country access on existing ways or trails by motorized vehicles. No constructed roads.

MINERALS ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
All Existing Mining and Mineral Activities (as of October 21, 1976)	X		These activities are allowed provided they are conducted in the manner and degree in which the same were being conducted on October 21, 1976, and they cause no undue or unnecessary degradation.
All New Activities and Those Existing Activities Exceeding the Manner and Degree Established on October 21, 1976			
Oil and Gas			
Leasing	X		Requires stipulation (see Appendix B-1).
APD		X	Subject to conditions.
Notice of Intent to Conduct Exploration		X	Subject to conditions.
Geothermal			
Leasing	X		Requires stipulation (see Appendix B-2).
Plans of Operation		X	Electrical power development excluded and other development and exploration may be allowed.
Coal			
Leasing		X	Not suitable for coal mining while in WSA, unless underground mining with no surface effects.
Development		X	
Oil Shale		X	Subject to Federal Oil Shale Prototype Program.
Other Leasables			
Prospecting		X	Subject to stipulation that no preference right lease will issue until further environmental evaluation.

MINERALS ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Non-Competitive Leases		X	Existing rights to preference right leases will be recognized.
Competitive Leases		X	Issued only if mineral removal will not impair.
Exploration		X	Subject to non-impairment controls.
Mining Plans		X	"
Salable Minerals		X	Sales by case-by-case basis only.
1872 Mining Claims			
Prospecting, Location, and Assessment		X	Subject to surface protection regulations.

MINERALS ACTIONS WITHIN WILDERNESS STUDY AREAS

ACTIVITY	CLASS A	CLASS B	COMMENTS
Exploration		X	Governed by surface protection regulations.
Search for and Occasional Removal of Small Amounts of Mineral for Sample or Specimen	X		Activities must not increase the size of the access facility.
Mining		X	Governed by surface protection regulations.
Patent	X		
Temporary Road Construction		X	Permanent roads are prohibited.
Existing Roads, Trails, Bridges, Landing Strips, or Other Access Facilities Maintenance	X		As provided in 3802.1-1(d) of Title 43.

Appendix B-1

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

WILDERNESS PROTECTION STIPULATIONS—OIL AND GAS

By accepting this lease, the lessee acknowledges that the lands contained in this lease are being inventoried or evaluated for their wilderness potential by the Bureau of Land Management (BLM) under section 603 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2743, 2785 43 U.S.C. Sec. 1782).

Until the BLM determines that the lands covered by this lease do not meet the criteria for a wilderness study area as set forth in section 603, or until Congress decides against the designation of lands included within this lease as "wilderness," the following conditions apply to this lease and override every other provision of this lease which could be considered as inconsistent with them and which deals with operations and rights of the lessee:

1. Any oil or gas activity conducted on the leasehold for which a surface use plan is not required under NTL-6 (for example, geophysical and seismic operations) may be conducted only after the lessee first secures the consent of the

BLM. Such consent shall be given if the BLM determines that the impact caused by the activity will not impair the area's wilderness suitability.

2. Any oil and gas exploratory or development activity conducted on the leasehold which is included within a surface use plan under NTL-6 is subject to regulation (which may include no occupancy of the surface) or, if necessary, disapproval until the final determination is made by Congress either to designate the area as wilderness or remove the section 603 restrictions.

If all or any part of the area included within the leasehold estate is formally designated by Congress as wilderness, oil and gas exploration and development operations taking place or to take place on that part of the lease shall become subject to: (1) those provisions of the Wilderness Act of 1964 which apply to national forest wilderness areas, 16 U.S.C. Sec. 1131 *et seq.*, as amended; (2) the Act of Congress designating the land as wilderness; and (3) Interior Department regulations and policies pertaining thereto.

Appendix B-2

WILDERNESS PROTECTION STIPULATION—GEOTHERMAL RESOURCES

By accepting this lease, the lessee acknowledges that the lands contained in this lease are being inventoried or evaluated for their wilderness potential by the Bureau of Land Management (BLM) under section 603 of the Federal Land Policy and Management Act of 1976 (FLPMA), 43 U.S.C. 1782.

Until the BLM determines that the lands covered by this lease do not meet the criteria for a wilderness study area as set forth in section 603 or until Congress decides against the designation of lands included within this lease as wilderness, the lessee agrees not to occupy or use the surface of the leased lands for electrical power development or production purposes, except for certain limited uses, as indicated below. Excepted uses will include those exploration operations usually provided with a "Notice of Intent to Conduct Geothermal Resource Exploration Operations" (Form 3200-9), and, in certain instances, other exploration activities. Those operations would generally include geological mapping, geochemical studies, passive geophysical surveys, and the drilling of shallow temperature gradient holes. Drilling deep exploration wells may be permitted on a case-by-case determination by the Authorized Officer.

Any such operations are subject to regulations or, if necessary, disapproval until the final determination is made by Congress either to designate the lands as wilderness or remove the section 603 restrictions. Therefore, none of these operations may be conducted until approval has been obtained from either the Supervisor (under 30 CFR 270.78) or the BLM authorized officer (under 43 CFR 3209). The BLM authorized officer shall approve or recommend approval of such operations if he determines that the impact caused by the operations will not impair the suitability of the area for preservation as wilderness.

If all or any part of the area included within the leasehold is formally designated by Congress as wilderness, all geothermal resources operations taking place or to take place on that part of the lease shall become subject to: (1) the provisions of the Wilderness Act of 1964 which apply to national forest wilderness areas, 16 U.S.C. Sec. 1131 *et seq.*, as amended; (2) the Act of Congress designating the land as wilderness; and (3) Interior Department regulations and policies pertaining thereto.

Appendix C

ACTIONS RECEIVING INSTRUCTIONS FOR SELECT WILDERNESS INVENTORY

STATE	DISTRICT	PROJECT	INITIATING DIVISION	DATE SIGNED
Alaska	Fairbanks/Anchorage	W.G.M. Mining Company	370	4/14/78
Arizona	N/A	Palo Verde—Devers T.L.	370	1/24/78
Arizona	N/A	Palo Verde—Kyvene T.L.	370	8/4/78
Arizona	N/A	Yavapai County Road Proposals	320	8/4/78
Arizona	Yuma	Havasu City—FAA Proposal	321	FS Underway
Arizona	N/A	Sohio Pipeline	321	11/14/77
California	N/A	California Desert C.A.P.	370	2/6/78
California	N/A	Sohio/Sundesert Nuclear Power Project	321	11/14/77
California	N/A	Palo Verde—Devers T.L.	370	1/24/78
California	N/A	Palo Verde—Kyvene T.L.	370	8/4/78
California	N/A	Sohio Pipeline	321	11/14/78
California	N/A	Intermountain Power Project	321	8/20/78
Colorado	Grand Junction	Palmer Oil and Gas	370	6/78
Colorado	N/A	White River Grazing Statement Action	CSO	6/78
Colorado	N/A	Gunnison Basin Grazing Statement Action	CSO	6/78
Colorado	N/A	Royal Gorge Grazing Statement Action	CSO	6/78
Idaho	Coeur d' Alene	Grandmother Mountain Exchange	321	4/78
Idaho	Boise/Shoshone	PP&L Transmission Line	321	10/25/77
Idaho	Salmon	Donkey Hills Exchange	321	8/16/78
Idaho	Boise	Riddle Exchange	321	8/16/78
Idaho	N/A	Agricultural ES	321	8/23/78
Nevada	N/A	Oil and Gas Lease Areas	370	7/21/78
Nevada	N/A	Highway Fee Use Permit	370	7/5/78
Nevada	N/A	North Valmy PDES	370	9/28/78
Nevada	N/A	Intermountain Power Project	321/370	8/20/78
Nevada	Ely	Mt. Wheeler 69 kV Right-of-Way	321	9/14/78
New Mexico	Roswell	APD Oil and Gas	370	7/31/78
New Mexico	N/A	Navajo Exchanges	321	8/30/78
New Mexico	N/A	Sohio Pipeline	370	8/14/78
New Mexico	Chaves County	Petroleum Devel. Corp. Mescalero Sands Roadless Area, New Mexico (932)		11/14/78
Oregon	N/A	PP&L Transmission Line	370	10/25/77
Texas	N/A	Sohio Pipeline	370	11/14/77
Utah	Moab/Richfield	Emery Powerplant Units 3 and 4	321	7/20/78
Utah	N/A	Palmer Oil and Gas	370	6/78
Utah	N/A	Intermountain Power Project	321	8/20/78
Bureauwide	N/A	APD-Lease w/i 60-Day Expir. (OAD 78-38, Change 1)	370	7/31/78

Appendix D

THE FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976 (P.L. 94-579)

Bureau of Land Management Wilderness Study

Sec. 603. (a) Within fifteen years after the date of approval of this Act, the Secretary shall review those roadless areas of five thousand acres or more and roadless islands of the public lands, identified during the inventory required by section 201(a) of the Act as having wilderness characteristics described in the Wilderness Act of September 3, 1964 (78 Stat. 890; 16 U.S.C. 1131 et seq.) and shall from time to time report to the President his recommendation as to the suitability or unsuitability of each such area or island for preservation as wilderness: Provided, that prior to any recommendations for the designation of an area as wilderness the Secretary shall cause mineral surveys to be conducted by the U.S. Geological Survey and the Bureau of Mines to determine the mineral values if any, that may be present in such areas: Provided further, that the Secretary shall report to the President by July 1, 1980, his recommendations on those areas which the Secretary has prior to November 1, 1975, formally identified as natural or primitive areas. The review required by this subsection shall be conducted in accordance with the procedures specified in section 3(d) of the Wilderness Act.

(b) The President shall advise the President of the Senate and the Speaker of the House of Representatives of his recommendations with respect to designation as wilderness of each such area, together with a map thereof and a definition of its boundaries. Such advice by the President shall be given within two years of the receipt of each report from the Secretary. A recommendation of the President for designation as wilderness shall become effective only if so provided by an Act of Congress.

(c) During the period of review of such areas and until Congress has determined otherwise, the Secretary shall continue to manage such lands according to his authority under this Act and other applicable law in a manner so as not to impair the suitability of such areas for preservation as wilderness, subject, however, to the continuation of existing mining and grazing uses and mineral leasing in the manner and degree in

which the same was being conducted on the date of approval of this Act: Provided, that, in managing the public land the Secretary shall by regulation or otherwise take any action required to prevent unnecessary or undue degradation of the lands and their resources or to afford environmental protection. Unless previously withdrawn from appropriation under the mining laws, such lands shall continue to be subject to such appropriation during the period of review unless withdrawn by the Secretary under the procedures of section 204 of this Act for reasons other than preservation of their wilderness character. Once an area has been designated for preservation as wilderness, the provisions of the Wilderness Act which apply to national forest wilderness areas shall apply with respect to the administration and use of such designated area, including mineral surveys required by section 4(d)(2) of the Wilderness Act, and mineral development, access, exchange of lands, and ingress and egress for mining claimants.

APPENDIX E

SECTION 2(c) OF THE WILDERNESS ACT OF SEPTEMBER 3, 1964 (P.L. 88-577)

A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practical its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological or other features of scientific, educational, scenic, or historical values.

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